

**MINUTES OF A MEETING OF NELSON COMMITTEE  
HELD AT NELSON TOWN HALL  
ON 7<sup>TH</sup> OCTOBER, 2019**

*PRESENT –*

*Councillor M. Sakib (Chairman – in the Chair)*

**Councillors**

G. Adam  
Nadeem Ahmed  
Z. Ali  
T. Cooney  
J. Henderson  
M. Iqbal  
A. Mahmood  
N. McGowan  
K. E. Shore  
Y. Tennant  
S. Wicks

**Co-optees**

*N. Emery (Nelson Town Centre  
Partnership)*

**Police**

**Officers in attendance:**

<i>Julie Whittaker</i>	<i>Housing, Health and Engineering Services Manager (Area Co-ordinator)</i>
<i>Alex Cameron</i>	<i>Senior Planning Officer</i>
<i>Sarah Waterworth</i>	<i>Committee Administrator</i>

*(Apologies for absence were received from Councillors M. Ammer, E. Ansar, M. Aslam and Town Councillor S. Sawar).*



*The following people attended the meeting and spoke on the following items:*

<i>Shahid Shair</i> <i>Sana Ul-Ala</i>	<i>19/0292/FUL Full: Change of use of a ground floor taxi office (SG) to a Hot Food Takeaway (Use Class A5) and erection of an external flue to rear (retrospective) at 113 Leeds Road, Nelson.</i>	<i>Minute No. 65</i>
<i>Michael Horne</i> <i>Mr Younis</i> <i>County Cllr A. Ali</i>	<i>19/0601/FUL Full: Major: Erection of 20 dwellinghouses to land to the North of 247 Barkerhouse Road, Nelson.</i>	<i>Minute No. 65</i>

**60.**

**DECLARATIONS OF INTEREST**

Members were reminded of the requirements of the Member Code of Conduct concerning the Declaration of Interests.

**61.**

## **PUBLIC QUESTION TIME**

1. A resident from the Southfield ward made a complaint about the behaviour of two members of the Enforcement team, who had fined a resident for littering. He explained that they were very rude and aggressive. The resident asked that the members of the team be spoken to regarding their behaviour.

Councillor Iqbal explained that he also had received complaints regarding the Enforcement team and their behaviour. He explained that District Enforcement had been contracted to undertake the work and their existing contract was due to end in February 2020 and was being reviewed.

2. County Councillor Ali made reference to the church that has burnt down some months ago across from Unity Hall, Vernon Street, Nelson. He explained that he was aware that there were issues regarding who owned the property but it had now become an eyesore. The site had become full of rubbish and children were playing inside the derelict building.

It was agreed that an update report be submitted to the next meeting regarding the site and any action that could be taken.

3. County Councillor Ali reported on a serious accident that happened a number of days ago on Larch Street, Nelson where a car had over turned onto another car, luckily no one was seriously injured. He explained that the junction had very poor road markings and there was a problem with speeding cars in the area and in other areas within Nelson.

He asked that the Committee write to Lancashire County Council asking for traffic calming measure to be put in place on Larch Street and Bradley Road to Bank House Road before a very serious accident take place.

It was agreed that the Committee write to County Councillor K. Iddon, Cabinet Members for Highways and Transport about this matter.

Councillor N. McGowan explained that he had been in contact with County Councillor Iddon who had agreed to meet with him on site regarding this issue.

4. Reference was made to the number of abandoned cars that were parked on the side of the road in the Whitefield area, especially Craven Street. It was reported that the cars had no tax or MOT and were believed to be owned by people in the area that were in the car trade. The resident asked if something could be done about the issue.

**62.**

## **MINUTES**

### **RESOLVED**

That the Minutes of the meeting held on 2<sup>nd</sup> September, 2019 be approved as a correct record and signed by the Chairman.

**63.**

## **PROGRESS REPORT**

A progress report on action arising from the meeting of this Committee held on 2<sup>nd</sup> September, 2019 was submitted for information.

**64. POLICE AND COMMUNITY SAFETY PARTNERSHIP**

There were no members of the Police present.

**65. PLANNING APPLICATIONS**

**Applications to be determined**

The Planning, Economic Development and Regulatory Services Manager submitted a report on planning applications to be determined as follows:

The Senior Planning Officer reported that the following application had been withdrawn prior to the meeting.

**19/0194/FUL Full: Erection of a single-storey commercial unit for use as a car repair garage and MOT centre (Use Class B2) at J. F. Business Centre, Whitefield Mill, St. Marys Street, Nelson for Mr. Aslam**

**19/0292/FUL Full: Change of use of a ground floor taxi office (SG) to a hot food takeaway (Use Class A5) and erection of an external flue to the rear (retrospective) at 113 Leeds Road, Nelson for Mr Raja Asim Hussain**

**RESOLVED**

That the Planning, Economic Development and Regulatory Services Manager be **delegated authority to grant consent** subject to the following conditions:-

1. The proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: U37-P01B, U37 – P03B.

**Reason:** For the avoidance of doubt and in the interests of proper planning.

3. The operation of the extraction flue hereby approved shall not commence unless and until a scheme for the extraction, treatment and dispersal of fumes and odours has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall include:

- a. the provision of odour filters (which shall incorporate grease and carbon filters)
- b. details of the sound insulation of odour control equipment.

The approved scheme shall be implemented prior to commencement of the operation of the extraction system and the extraction system shall thereafter be operated and maintained in accordance with the agreed details and the manufacturers specifications and be retained for so long as the use continues.

**Reason:** In order to ensure the adequate treatment and dispersal of fumes and odours and attenuation of noise in the interests of residential amenity.

4. The hot food takeaway hereby approved shall not be open to customers outside of the hours of 9am to 9pm.

**Reason:** To ensure that night – time noise and early morning noise and disturbance does not unacceptably impact upon the residential amenity of the occupiers of adjacent dwellings.

### **REASON FOR DECISION**

***Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed development is acceptable in terms of design, amenity and highway safety. The development is therefore compliant with the Development Plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.***

**19/0343/VAR Full: Variation of Conditions: Vary Condition 2 (Plans), Condition 5 (Parking Layout) and Removal of Condition 4 (Trade Sales Only) of Planning Permission 18/0348/FUL at Darwil House, Bradley Hall Road, Nelson for Mrs R Ahmed.**

### **RESOLVED**

That planning permission be **deferred** to allow discussions with the applicant to take place.

**19/0393/FUL Full: Erection of two-storey extension to south elevation of religious building (Floor Space: 335 SQMs) at Masjid Nimra, Barkerhouse Road, Nelson for The Mosque Committee.**

*(A site visit was undertaken prior to the meeting)*

The Senior Planning Officer submitted an update to the meeting regarding an updated Retail Impact Assessment which had been submitted.

### **RESOLVED**

That the Planning, Economic Development and Regulatory Services Manager, in consultation with the Chairman, be **delegated authority to grant consent** subject to the following conditions:-

Conditions to be included

1. Screening to be placed along boundary to 177 – 203 Leeds Road, Nelson.
2. the pedestrian access gate to the back of Leeds Road be permanently closed.

**19/0471/FUL Full: Installation of a new shop front including recessed shutters and erection of a two-storey extension to rear at 52 Manchester Road, Nelson for Mr Mohammed Arif.**

That the Planning, Economic Development and Regulatory Services Manager, in consultation with the Chairman, be **delegated authority to grant consent** subject to receipt of amended plans regarding the roof to the two storey rear extension being pitched instead of flat.

**19/0601/FUL Full: Major: Erection of 20 dwellinghouses at Land to the North of 247 Barkerhouse Road, Nelson for Muir Housing Group and John Turner Construction.**

**RESOLVED**

That planning permission be **deferred** to allow discussions with the applicant, Ward Councillors and the Housing Association to take place.

**66. ENFORCEMENT/UNAUTHORISED USES**

**Enforcement Action**

The Head of Legal Services submitted, for information, a report on outstanding enforcement cases in Nelson.

**67. CAPITAL PROGRAMME 2019/20**

The Housing, Health and Engineering Services Manager submitted a report regarding the committees 2019/20 capital programme.

**RESOLVED**

That the report be noted.

**68. COMMUNITY INVESTMENT FUND**

Committee noted the uncommitted Community Investment Fund allocations as set out below:

<b>Councillor</b>	<b>2018/19 Community Investment Fund</b>	<b>Committed</b>	<b>Balance</b>	<b>Details of Scheme</b>
Marsden N. McGowan	£2,040.00	£0.00	£2,040.00	
Whitefield N. Ahmed	£2,040.00	£0.00	£2,040.00	

**69. ENVIRONMENTAL BLIGHT**

The Housing, Health and Engineering Manager submitted, for information, a report which provided an update on any existing sites.

**70. CAR PARK, RAILWAY STREET, NELSON**

The Chief Executive submitted a reported regarding a request to declare land edged black on the plan appended to the report, surplus to requirements. Members were recommended to refuse the request.

**RESOLVED**

- (1) That the Chief Executive be delegated authority to negotiate with the tenant a cost to purchase the land.
- (2) That if there was a positive outcome to the negotiations a report be submitted to a future meeting of this committee.

**REASON**

***To generate a capital receipt for the Council.***

**71. ITEMS FOR DISCUSSION**

- (a) Barrier at the entrance of Hodge House Community Centre, Regent Street, Nelson

The Chairman reported that he would write to Housing Pendle to arrange a meeting to discuss this matter.

Chairman \_\_\_\_\_